



Volume XLII September 2008

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Commission Members & Staff

Marvin Alexander, Chairman

West Tennessee Member
Term: 11/30/2004 – 08/31/2010

Howard Phillips, Vice Chairman

East Tennessee Member
Term: 09/01/2003 – 08/31/2009

Bobby Colson, Board Member

Middle Tennessee Member
Term: 08/31/2004 – 08/31/2010

Kenneth Dreaden, Board Member

At-Large Member
Term: 11/10/2005 – 08/31/2011

Mary Frances Rudy, Board Member

Consumer Member
Term: 04/25/2007 – 08/31/2010

Charlie Patterson ,

Administrative Director
charlie.patterson@state.tn.us

Sheila Piper , Administrative Assistant

sheila.d.piper@state.tn.us

Mission Statement

The mission of Tennessee Auctioneer Commission is to protect the public and licensees by monitoring the auctioneer profession through licensure and regulation.

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Department of Commerce & Insurance
Tennessee Auctioneer Commission
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Davy Crockett Tower
Nashville, Tennessee 37243-1245

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*Tennessee Department
of Commerce and
Insurance*

From the Chairman

by Marvin Alexander, Chairperson

I appreciate being elected as chairman to the Tennessee Auctioneer Commission at the August meeting. I consider it an honor to serve on the Commission. As you will learn, a number of changes have taken place with the Commission. First, Mrs. Lynn McGill has taken the early retirement. Lynn has done an outstanding job for our Commission for the past 17 years. The Commission members and I would like to proudly say "Thanks" to Lynn for the outstanding job she has done. Lynn has been dedicated to her position and has helped the Auctioneer Commission accomplish many things during her tenure.

I along with the other Commissioners would like to wish Lynn an enjoyable retirement and much success in whatever she desires to do. I know she will not sit down. I feel sure she will pursue another exciting career. We also hope Lynn's husband, Porter, has a speedy recovery and I suggest he gets ready for some serious honey-do jobs.

Rest assured The Tennessee Auctioneer Commission is in good hands. Business will go on as usual, and there will be no interruptions. Mr. Charlie Patterson will be our Administrative Director. Mr. Patterson was working with Lynn before she left. He has worked in other departments as well as worked with other boards and commissions. Sheila Piper is still in the office and she has a vast knowledge of the day to day operations of the TAC. Mr. Adrian Chick, remains as Staff Attorney for the Auctioneer Commission. If a licensee has a problem I feel sure one of these three can find the solution.

September 15th is the next Commission meeting. We have a Rulemaking Hearing scheduled at this meeting. The Public Automobile Auctioneer Rules will be presented and other housekeeping items will be included. Everyone is invited to attend. As chairman of the Tennessee Auctioneer's Commission, I will be glad to assist anyone that I can. My office number is 731-587-4244. I look forward to seeing each of you on September 15th, if not before.

And the changes keep on coming to the Tennessee Auctioneer Commission.

The last quarter of fiscal year 2008 had the Commission office moving down the road to the Andrew Johnson Building, as the state began a renovation of the Davy Crockett Tower. No sooner had the staff begun to settle in when Administrative Director, Lynn McGill elected to take early retirement, leaving us after years of service to the state. Now, we have more changes on the horizon: a new Administrative Director, Mr. Charlie Patterson, has been appointed to the Auctioneer Commission; a new license will be offered through the Auctioneer Commission; and a Rulemaking Hearing has been scheduled to address the changes this license will bring about. We have a new Chairman on the Commission, Mr. Marvin Alexander; and we have a new Continuing Education Seminar program to offer this year.

As tends to be the case, change brings about a certain amount of anxiety and uneasiness because change is by its very nature uncertain: will it be to our liking or not? The late author and historian Washington Irving once said of change, "There is a certain relief in change...as I have often found in travelling [by] stagecoach. It is often a comfort to shift one's position and be bruised in a new place." While sometimes change is painful, it is more often exciting, invigorating, and beneficial. Times of change are the times to reflect on our past successes and our future goals.

As Lynn McGill was leaving, she took a few moments to talk about her career with the State of Tennessee and the Tennessee Auctioneer Commission with the Newsline editor. A forty-four year employee with the state, Mrs. McGill saw more than her share of changes during her tenure. When she came to the TAC in 1991, everything was manual and records were kept the old-fashioned way: on paper. Mrs. McGill oversaw the transition to micro-film and later to computers. She led the Tennessee Auctioneer Commission to be the first auctioneer licensing board in the country to have a website. Under Mrs. McGill's management, the TAC was the first commission to approve the very first online continuing education program for auctioneers; and was the first Tennessee Regulatory Board to offer online license renewals.

Changes... (Continued from page 1)

It was her parting wish for the TAC to continue exploring ways to use technology to the benefit of licensees: specifically by working to make forms, updates and all licensee payments available for completion electronically. We wish Mrs. Lynn McGill all the best as she leaves to spend more time with her husband, her six grandchildren, her great-grandson, and pursue plans to return to school to advance her knowledge of computers and computer technologies.

Coming in to fill her shoes is Charlie Patterson. Mr. Patterson comes to the TAC indirectly from the Boxing and Racing Board. A native of Clarksville, Mr. Patterson served twenty-two years in the Tennessee Army National Guard, served sixteen years on the Clarksville City Council, and served four years on the Montgomery County School Board before joining the Tennessee Department of Commerce and Insurance in 2007. Mr. Patterson has a number of goals he hopes to accomplish through the TAC, primarily to stay focused on the consumer. "We are one of few boards on the imaging system as opposed to hard-copy which will allow us to provide a quicker response to consumers," Patterson says. The imaging system, a process of scanning images and converting paper documentation to a computer generated image, allows for more immediate information retrieval as well as safer data storage. "We are about 90% complete in the transition to imaging, and will be 100% soon," Patterson says.

As Charlie Patterson takes charge of the administrative office, Marvin Alexander takes on the Chair of the Commission, having been elected by the Commissioners during the August 4, 2008 meeting. Marvin is a long-time licensee and holds the distinctive license number 9. Marvin has served on the Board in years past, being reappointed in 2004 and again in 2007 by the Bredesen administration.

Welcome to Charlie Patterson and a heartfelt congratulations to Marvin Alexander.

2008-2009 Continuing Education Programs

The Professional and Ethical Auctioneer and Auction Company

Speaker: Bryan Knox



This year, the TAC is proud to announce their Seminar Speaker, Bryan Knox. Bryan is the principal auctioneer of Amerisouth Auctions, Inc. and coordinates the auction marketing for Amerisouth. Bryan is the 2007 National Auctioneer Association International Auctioneer Champion, winning against a field of

over 60 auctioneers from all over the world. In addition to this, he is also the 2001 State Bid Calling Grand Champion for the state of Alabama.

Because of his struggles and accomplishments in the auction industry, Bryan has been featured on Public Radio as well as the new Auction Network. Bryan has also been on the cover of Auctioneer magazine and was the subject of feature articles in The Christian Science Monitor, The Birmingham News, The Decatur Daily, the Courier-Journal, numerous local newspapers, and most recently was recorded for a Comedy Central advertisement. Along with his responsibilities at Amerisouth, Bryan is giving back to the auction industry he loves as an instructor at Nashville Auction School. Bryan has also served in various positions on the board of the Alabama Auctioneers Association working to improve auction law and

to educate the public as to the benefits of selling their assets using the auction method of marketing. Bryan is currently working to complete his training in the Certified Auctioneers Institute. Bryan is also the preacher of a small church in Mount Olive, Alabama. He brings his training and experience as a preacher to his speaking engagements and presents a lively, entertaining, and motivational seminar.

Bryan will be conducting a 6 hour continuing education program for auctioneers and auction business owners on professionalism and ethics in their auction business. Bryan will bring the enthusiasm that won him the IAC Championship, along with the wit and humor that won over the Comedy Central casting crew to the podium to deliver what promises to be a fun, motivational, and educational program.

RULEMAKING HEARING – Proposed Rule Changes

On March 26, 2008 the Tennessee General Assembly passed changes to the Tennessee Code Annotated (TCA) by designating licensing provisions for a Public Automobile Auctioneer and a Public Automobile Auction. On April 10, 2008, Governor Phil Bredesen signed this Act into law. Legal counsel for the TAC has since drafted the following proposed rule changes to present before the public and the Auctioneer Commission on Monday, September 15, 2008 at 9:00 am (central).

Substance of Proposed Rules
Chapter 0160-1
Regulation of Auctioneers

Rule 0160-1-.10 Auction Schools is amended by deleting the text of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0160-1-.10 Auction Schools.

- (1) In order to be approved by the Auctioneer Commission (for the purpose of providing instruction required by T. C. A. Sections 62-19-111 for an apprentice auctioneer, or firm license) an auction school must:
 - (a) execute an application on the form prescribed by the Commission, accompanied by a description of the school's curriculum;
 - (b) have a permanent business location;
 - (c) conduct a minimum of eighty (80) hours of instruction including at least forty (40) hours under the supervision of a licensed auctioneer with at least five (5) years of experience;
 - (d) for applicants applying for upgrade from apprentice to auctioneer, conduct a minimum of thirty (30) hours of instruction, including at least fifteen (15) hours instruction given by a licensed auctioneer with at least five (5) years of experience;
 - (e) maintain a pass/fail grading system with a supplementary "good/fair/poor" designation
 - (f) provide instruction in public speaking, bid calling, sales management, advertisements, contracts, closing statements, license law, uniform commercial codes, bulk sales and firearms;
 - (g) demonstrate every two (2) years that it has met the requirements of the Tennessee Higher Education Commission (or equivalent thereof in another state).
- (2) In order to be approved by the Auctioneer Commission (for the purpose of providing instruction required by T.C.A. 62-19-111 for an automobile auctioneer license) an auction school must:
 - (a) execute an application on the form prescribed by the Commission, accompanied by a description of the school's curriculum;
 - (b) have a permanent location;
 - (c) conduct a minimum of thirty (30) hours of rigorous classroom instruction in automobile auctioneering including instruction in ethics of automobile auctions, registration and licensing of motor vehicles, transfers of title and registration, and rules and statutes relating to public automobile auctions;
 - (d) demonstrate every two (2) years that it has met the requirements of the Tennessee Higher Education Commission (or the equivalent thereof in another state).

Authority: T.C.A. Sections 62-19-106(b) and Public Chapter 724 of the Public Acts of 2008 Sections 3 and 8.

Rule 0160-1-.14 Fees is amended by deleting the text of the rule in its entirety and substituting instead the following language so that, as amended, the rule shall read:

0160-1-.10 Fees.

- (1) Each applicant for licensure shall be accompanied by a non-refundable application fee of fifty dollars (\$ 50.00).
- (2) Fees for the issuance of initial licensure and the renewal thereof shall be as follows:
 - Auctioneer License.....one hundred seventy-five dollars (\$175)
 - Apprentice Auctioneer License.....one hundred twenty-five dollars (\$125)
 - Principal Office Firm License.....one hundred twenty-five dollars (\$125)
 - Gallery License.....one hundred seventy-five dollars (\$ 175)
 - Auctioneer Education and Recovery Fund Account Fee.....fifty dollars (\$ 50)
 - Public Automobile Auctioneer License.....one hundred seventy-five dollars (\$ 175)Licenses are valid for two (2) years from the date of their issuance and may be renewed within sixty (60) days immediately preceding their date of expiration.
- (3) A licensee shall pay a one-time fee of one hundred fifty dollars (\$ 150.00) for the retirement of an auctioneer, apprentice auctioneer, or public automobile auctioneer license. An application or activation of a retired license shall be accompanied by an application fee of one hundred dollars (\$100.00), the applicable license fee and the Auctioneer Education and Recovery Account fee.
- (4) An applicant who fails a license examination shall pay a fee as set by contract with the Auctioneer Commission license examination administrator for each subsequent re-examination.
- (5) The fee for a replacement license and pocket card is thirty-five dollars (\$ 35.00).
- (6) Any notification of change of information pursuant to rule 0160-1-.24 made to the Commission more than sixty (60) days after the effective date of the new information shall result in a penalty of one hundred dollars (\$ 100.00).

Authority: T.C.A. Sections 62-19-106(b), 62-19-111 and 62-19-116 and Chapter 724 of the Public Acts of 2008, Section 8.

As certified by Staff Attorney, Adrian Chick to be "an accurate and complete representation of the intent and scope of the rulemaking proposed by the Tennessee Auctioneer Commission.

"The Tennessee Department of Commerce and Insurance is committed to principles of equal opportunity, equal access, and affirmative action." Contact the EEO Coordinator or ADA Coordinator at 615-741-2177 (TDD).

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CORRECTIONS

In our last issue, two typographical errors were noted and brought to our attention. Both were in the "Equal Opportunity" statement found on page 3. These errors have been corrected in the current issue. Thank you to the diligent readers who identified the errors.

WE HAVE MOVED!

The TAC Offices have moved down the street to:

710 James Robertson Pkwy.
Andrew Johnson Bldg.
2nd Floor
Nashville, TN 37243

Our phone number and our mailing address remain the same!

500 James Robertson Pkwy.
Nashville, TN 37243-1152

615-741-3600

*Let us know how we can
serve you, but please
have your license number
ready when you call so we
can serve you more
quickly.*

TAC CE Seminar
Monday September 22nd
Tellico West Conference Center
9:00 am (Eastern)
Vonore, Tennessee

www.tellicowest.com

Attention: Gallery and (non-auctioneer) Firm Licensees

Don't Forget to Plan for your Continuing Education

This is a fairly new requirement for Gallery and Firm owners. Seminars are offered free of charge each year in East, Middle and West Tennessee.

This year we will be in East TN in September, West TN in February and Middle TN in May or June.

Bring your Pocket Card with you when you attend the CE Seminar. You are responsible for reporting your license number properly to insure you receive credit for attending the seminar.